

**When recorded return to:**  
Matthew E. Jensen  
Parr Brown Gee & Loveless  
101 South 200 East, Suite 700  
Salt Lake City, UT 84111

## **Notice of Water and Sewer Development and Service Agreement**

NOTICE IS HEREBY GIVEN that pursuant to that certain Water and Sewer Development and Service Agreement, made and entered into as of January \_\_\_, 2020 (the "**Agreement**"), BLX Mayflower LLC, BLX LLC, BLX Pioche LLC, BLX Land LLC, RH Mayflower LLC, 32 Dom Mayflower LLC, BLX MWR Hotel LLC, and BLX Water Holding LLC, all of which are Delaware limited liability companies (collectively, "**Developer**") and Jordanelle Special Service District (the "**District**") have agreed to certain rights and obligations with respect to the real property located in Wasatch County, Utah as further described on **Exhibit "A"** attached hereto and incorporated herein by this reference (the "**Property**").

In exchange for the Developer's performance of the covenants and conditions stated in the Agreement, the District has committed to provide water and sewer services to a development on the Property that will be constructed in Phases (collectively, the "**Project**") in accordance with the terms and conditions contained in the Agreement.

This Notice is executed for the purpose of affording notice of the existence of the Agreement and the terms, covenants and conditions thereof, which terms, covenants and conditions are incorporated herein by reference for all purposes. Nothing herein shall limit, increase or in any manner affect any of the terms of the Agreement, or any rights, interests or obligations of the parties thereto. Capitalized terms used, but not defined, herein shall have the meaning set forth in the Agreement.

The terms and provisions of the Agreement inure to the benefit of and are binding upon the Parties to the Agreement and upon their respective officers, agents, employees, representatives, affiliates, successors, and assigns (where assignment is permitted), including, without limitation, any separate affiliated entity of the Developer which assumes or is assigned any responsibility or obligation imposed upon the Developer pursuant to this Agreement, and any city or other governmental agency or agencies that assumes jurisdiction over the Project should the District no longer have jurisdiction over the Project. The covenants contained in the Agreement run with the Property.

This Notice may be executed in one or more counterparts, any one of which need not contain the signatures of more than one party, but all such counterparts taken together will constitute one and the same instrument.

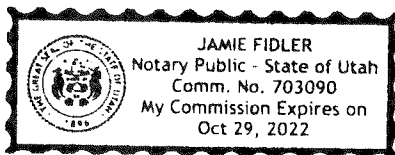
IN WITNESS WHEREOF, the parties have executed this Notice as of the date state above.

**[Signatures and Acknowledgements Follow]**

<b>BLX MAYFLOWER LLC</b> By: _____ Gary Barnett, President	Date: <u>2/7/20</u>
<b>BLX LLC</b> By: _____ Gary Barnett, President	Date: <u>2/7/20</u>
<b>BLX PIOCHE LLC</b> By: _____ Gary Barnett, President	Date: <u>2/7/20</u>
<b>BLX LAND LLC</b> By: _____ Gary Barnett, President	Date: <u>2/7/20</u>
<b>BLX WATER HOLDING LLC</b> By: _____ Gary Barnett, President	Date: <u>2/7/20</u>
<b>RH MAYFLOWER LLC</b> By: _____ Gary Barnett, President	Date: <u>2/7/20</u>
<b>BLX MWR HOTEL LLC</b> By: _____ Gary Barnett, President	Date: <u>2/7/20</u>
<b>32 DOM MAYFLOWER LLC</b> By: _____ Gary Barnett, President	Date: <u>2/7/20</u>

STATE OF Utah )  
 ) SS.  
 COUNTY OF Summit )

This instrument was acknowledged before me on <sup>JF 2/7/20</sup> ~~January~~ <sup>Feb.</sup> 7<sup>th</sup>, 2020, by Gary Barnett, President of BLX Mayflower LLC, BLX LLC, BLX Pioche LLC, BLX Land LLC, BLX Water Holding LLC, RH Mayflower LLC, BLX MRW Hotel LLC, and 32 DOM Mayflower LLC.



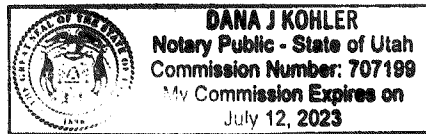
\_\_\_\_\_  
 Notary Public

<p><b>JORDANELLE SPECIAL SERVICE DISTRICT</b></p> <p>By: <u>Ron Phillips</u> Ron Phillips, General Manager</p>	<p>Date: <u>1/31/2020</u></p>
--	-------------------------------

STATE OF Utah )  
COUNTY OF Wasatch ) SS.

This instrument was acknowledged before me on January 21, 2020, by Ron Phillips, General Manager of Jordanelle Special Service District.

[Signature]  
Notary Public



## Exhibit A

To

### Notice of Water and Sewer Development and Service Agreement

#### Legal Description of BLX Entities' Property

A parcel of land located in the Sections 22, 23, 24, 25, 26, 27, 33, 34, 35 and 36, Township 2 South, Range 4 East, Salt Lake Base and Meridian, and Sections 1, 2, 3, and 4, Township 3 South, Range 4 East, Salt Lake Base and Meridian, and Sections 30 and 31, Township 2 South, Range 5 East, Salt Lake Base and Meridian, Wasatch County, Utah, described as follows:

Beginning at a UDOT ROW monument marking the Northeast corner of the property described in that certain Record of Survey Number 3134, Recorded July 31, 2018, on file and of record at the Wasatch County Surveyor's Office, said UDOT ROW monument being North  $33^{\circ}08'06''$  West 4429.04 feet from the North Quarter Corner of said Section 25 (Basis of Bearings for the hereon described line being South  $26^{\circ}11'47''$  East 5917.16 feet from said North Quarter corner of Section 25 to the Southeast Corner of said Section 25, refer to Record of Survey Maps 2647, 3057, and 3058 on file with the Wasatch County Surveyor's Office with regards to Section 25 and 26 retracement information, and for the Mayflower LDP coordinate system projection parameters) and running coincident with the boundary described and monumented in said Record of Survey Number 3134 the following forty-seven (47) courses: 1) South  $80^{\circ}45'40''$  West 421.81 feet; thence 2) South  $80^{\circ}21'28''$  West 378.62 feet; thence 3) South  $80^{\circ}24'16''$  West 952.66 feet; thence 4) South  $58^{\circ}36'26''$  West 212.36 feet; thence 5) South  $06^{\circ}56'14''$  West 383.42 feet; thence 6) North  $89^{\circ}58'39''$  West 296.09 feet; thence 7) North  $48^{\circ}17'53''$  West 610.42 feet; thence 8) South  $85^{\circ}54'24''$  West 663.10 feet; thence 9) South  $09^{\circ}39'19''$  East 339.12 feet; thence 10) South  $10^{\circ}33'50''$  West 688.88 feet; thence 11) North  $68^{\circ}33'18''$  West 323.01 feet; thence 12) North  $36^{\circ}24'29''$  West 421.78 feet; thence 13) South  $53^{\circ}27'47''$  West 242.75 feet; thence 14) South  $13^{\circ}10'01''$  West 229.12 feet; thence 15) South  $64^{\circ}23'24''$  West 227.86 feet; thence 16) North  $75^{\circ}59'01''$  West 533.59 feet; thence 17) North  $61^{\circ}21'30''$  West 183.68 feet; thence 18) South  $59^{\circ}26'45''$  West 579.22 feet; thence 19) South  $37^{\circ}22'19''$  East 151.30 feet; thence 20) South  $22^{\circ}15'35''$  East 122.71 feet; thence 21) South  $63^{\circ}35'13''$  East 134.94 feet; thence 22) North  $67^{\circ}46'04''$  East 83.08 feet; thence 23) South  $22^{\circ}13'56''$  East 200.13 feet; thence 24) South  $67^{\circ}45'09''$  West 222.94 feet; thence 25) North  $85^{\circ}09'10''$  West 262.33 feet; thence 26) South  $44^{\circ}21'20''$  East 172.34 feet; thence 27) South  $45^{\circ}09'14''$  East 316.30 feet; thence 28) North  $70^{\circ}30'00''$  East 3.71 feet; thence 29) North  $61^{\circ}27'11''$  East 65.45 feet; thence 30) South  $27^{\circ}29'01''$  East 10.39 feet; thence 31) North  $70^{\circ}30'00''$  East 31.57 feet; thence 32) South  $17^{\circ}54'08''$  East 201.04 feet; thence 33) South  $62^{\circ}25'02''$  West 467.69 feet; thence 34) South  $19^{\circ}01'05''$  East 58.30 feet; thence 35) North  $67^{\circ}46'53''$  East 1436.92 feet; thence 36) South  $19^{\circ}01'05''$  East 397.45 feet; thence 37) South  $53^{\circ}00'37''$  West 9.34 feet; thence 38) South  $71^{\circ}10'54''$  West 43.56 feet; thence 39) South  $04^{\circ}23'38''$  East 38.60 feet; thence 40) North  $76^{\circ}44'41''$  East 47.50 feet; thence 41) South  $04^{\circ}55'13''$  West 289.98 feet; thence 42) South  $04^{\circ}23'38''$  East 313.47 feet; thence 43) North  $70^{\circ}59'55''$  East 43.70 feet; thence 44) North  $52^{\circ}30'17''$  East 900.78 feet; thence 45) South  $03^{\circ}59'55''$  East 45.51 feet; thence 46) North  $85^{\circ}54'49''$  East 304.20 feet; thence 47) North  $86^{\circ}10'17''$  East 1501.77 feet to the northwest corner of the property described in that certain Warranty Deed Entry No. 456476 (JSSD Parcel) on file and of record in the Wasatch County Recorder's Office; thence coincident with the West line of said JSSD property the following five (5) courses: 1) South 674.81 feet; thence 2) North  $69^{\circ}03'00''$  East 210.29 feet; thence 3) South  $2^{\circ}06'00''$  East 210.70 feet; thence 4) South  $69^{\circ}03'00''$  West 218.51 feet; thence 5) South  $0^{\circ}00'25''$  West 242.60 feet to a point on the northern boundary line as shown on that certain survey "Deer Valley to BLX Mayflower Record of Survey Map" (also known

as Alaska Parcel survey) prepared by Matt Clark; thence coincident with the boundary line of Deer Valley as shown on said survey the following twenty-one (23) courses: 1) North 89°46'29" West 18.87 feet; thence 2) South 53.70 feet; 3) South 71°02'00" West 19.30 feet; thence 4) North 04°58'25" West 4.89 feet; thence 5) South 81°43'00" West 242.54 feet; thence 6) South 17°46'18" East 54.95 feet; thence 7) South 72°15'00" West 165.96 feet; thence 8) South 27°30'00" East 412.70 feet; thence 9) South 69°00'00" West 391.12 feet; thence 10) South 23°32'21" East 72.33 feet; thence 11) North 64°50'28" East 54.62 feet; thence 12) South 24°17'32" East 569.50 feet; thence 13) North 79°12'28" East 40.00 feet; thence 14) South 17°51'32" East 179.14 feet; thence 15) South 66°15'00" East 743.82 feet; thence 17) South 05°03'17" East 20.67 feet; thence 17) South 00°03'28" East 619.61 feet; thence 18) North 81°09'00" East 88.29 feet; thence 19) North 81°00'00" East 752.80 feet; thence 20) South 00°04'23" West 202.53 feet; thence 21) South 81°00'21" West 720.83 feet; thence 22) South 80°59'42" West 842.42 feet; thence 23) South 70°02'45" West 1586.17 feet to the northern most point of the boundary described in that certain survey "Demised Premises No. 2 Record of Survey Map" prepared by Matt Clark....

(The Basis of Bearing for the hereinafter described portion of the subject parcel being North 88°36'38" East 8030.02 feet from the Northeast corner of Section 34, Township 2 South, Range 4 East, Salt Lake Base and Meridian to the North Quarter Corner of Section 33, in said Township and Range as shown on said Demised Premises No. 2 Record of Survey Map and "Demised Premises No. 1 Record of Survey Map" prepared by Matt Clark. Refer to Record of Survey Map S-8175 prepared by Loyal D. Olsen III ,on file with the Summit County Recorder's Office for information regarding the Flagstaff LDP coordinate system projection parameters which applies to the remainder of the hereon described line.)

...thence coincident with the boundary line of said Demised Premises No. 2 South 70°01'12" West 1113.32 feet to the Lucy (Lot 152); thence coincident with said Lucy (Lot 152) the following (2) two courses: 1) North 44°46'22" West 118.07 feet; thence 2) South 88°13'34" West 861.81 feet to the West Section Line of Section 26 Township 2 South, Range 4 East, Salt Lake base and Meridian; thence coincident with said West Section Line South 0°43'39" East 452.69 feet to the South line of said Lucy (Lot 152); thence along said South line North 87°49'01" East 163.66 feet to a point on the West line of said Demise Premises No. 2; thence coincident with said Demise Premises No. 2 boundary the following (4) four courses: 1) South 11°28'52" East 530.80 feet; thence 2) South 82°10'47" West 556.62 feet; thence 3) South 13°24'13" East 283.45 feet; thence 4) South 56°50'08" West 365.45 feet to the North line of Section 27, Township 2 South, Range 4 East, Salt Lake base and Meridian; thence continuing coincident with said Demised Premises No.2 the following four (4) courses: 1) South 56°50'08" West 185.00 feet; thence 2) South 87°34'30" West 4.69 feet; thence 3) North 06°12'30" West 35.86 feet; thence 4) South 82°05'30" West 923.07 feet to a point on the Sitka claim (MS 7126); thence coincident with said Sitka claim the following four (4) courses: 1) North 13°02'33" West 1249.19 feet; thence 2) North 89°36'39" West 39.00 feet; thence 3) South 43°35'21" West 668.57 feet; thence 4) South 13°50'19" East 905.59 feet to a point on said Demised Premises No. 2; thence coincident with Demised No. 2 South 06°19'58" East 532.78 feet to a point on the Demised Premises No. 1 unrecorded Record of Survey by Matt Clark; thence coincident with said Demised Premises No. 1 North 89°37'39" West 1423.23 feet to a point on the Wasatch/Summit county line; thence coincident with the county line the following sixteen (16) courses: 1) South 29°52'34" West 714.41 feet; thence 2) South 04°18'01" West 1322.38 feet; thence 3) South 47°04'26" West 369.50 feet; thence 4) South 83°31'07" West 69.18 feet; thence 5) South 47°39'51" West 1208.42 feet; thence 6) North 39°52'18" West 1353.29 feet; thence 7) North 72°51'28" West 317.37 feet; thence 8) North 46°46'27" West 87.92 feet; thence 9) North 70°58'27" West 502.11 feet; thence 10) North 51°57'26" West 482.01 feet; thence 11) North 55°54'50" West 467.38 feet; thence 12) North 21°50'50" West 317.79 feet; thence 13) North

60°00'31" West 360.47 feet; thence 14) North 33°24'35" West 467.46 feet; thence 15) South 85°09'29" West 492.47 feet; thence 16) South 54°41'51" West 250.41 feet to a point on the boundary line described in Record of Survey S-8175 on file and of record in the Wasatch County Surveyor's office; thence coincident with said boundary line the following thirty (30) courses: 1) South 36°31'26" East 226.02 feet; thence 2) South 58°21'17" West 172.11 feet; thence 3) South 26°45'20" East 172.64 feet; thence 4) North 58°12'06" East 237.41 feet; thence 5) South 48°05'15" East 447.60 feet; thence 6) South 58°31'21" West 803.39 feet; thence 7) South 48°06'43" East 81.93 feet; thence 8) South 60°24'51" West 121.14 feet; thence 9) South 30°21'05" East 199.83 feet; thence 10) North 60°41'41" East 185.73 feet; thence 11) South 48°06'40" East 333.16 feet; thence 12) North 58°39'28" East 97.81 feet; thence 13) South 33°09'47" West 681.69 feet; thence 14) South 55°38'54" East 602.48 feet; thence 15) North 34°21'06" East 16.42 feet; thence 16) South 56°12'41" East 547.00 feet; thence 17) South 46°54'13" West 95.37 feet; thence 18) South 87°10'58" West 543.91 feet; thence 19) South 10°26'29" East 581.68 feet; thence 20) North 88°17'21" East 227.28 feet; thence 21) South 46°36'31" West 125.67 feet; thence 22) South 87°09'50" East 536.98 feet; thence 23) South 2°39'23" West 500.05 feet; thence 24) North 87°09'13" West 1021.18 feet; thence 25) North 2°39'23" East 437.84 feet; 26) South 46°40'12" West 480.15 feet; thence 27) South 03°10'46" West 107.26 feet; thence 28) South 43°42'42" West 526.05 feet; thence 29) North 87°36'59" East 203.69 feet; thence 30) South 02°36'10" West 599.684 feet; thence South 4497.07 feet, more or less, to the South line of Section 4 Township 3 South Range 4 East Salt Lake Base and Meridian; thence coincident with said section line North 89°57'10" East 3062.65 feet more or less to the Southeast Corner of said Section 4; thence coincident with the South line of Section 3 Township 3 South Range 4 East Salt Lake Base and Meridian South 89°53'41" East 5287.16 feet more or less to the Southeast Corner of said Section 3...

(The Basis of Bearing for the hereinafter described portion of the subject parcel being South 26°11'47" East 5917.16 feet from said North Quarter corner of Section 25 to the Southeast Corner of said Section 25, refer to Record of Survey Maps 2647, 3057, and 3058 on file with the Wasatch County Surveyor's Office with regards to Section 25 and 26 retracement information, and for the Mayflower LDP coordinate system projection parameters)

...thence coincident with the South line of Section 2 South 89°59'12" East 5280.00 feet more or less to the Southeast corner of said Section 2 Township 3 South Range 4 East Salt Lake Base and Meridian; thence coincident with the East line of said Section 2 North 00°00'48" East 196.68 feet to the Southwest corner of Section 1 Township 3 South Range 4 East Salt Lake Base and Meridian; thence coincident with the South line of said Section 1 South 89°59'12" East 4437.25 feet, more or less, to a point on the west right of way of US40; thence coincident with the west right of way line of US40 more or less the following fifty-two (52) courses: 1) North 03°11'33" West 4254.15 feet to a point on a non tangent curve to the right having a radius of 24711.97 feet, of which the radius point bears South 89°44'11" East; thence 2) northerly along the arc of said curve 2182.27 feet through a central angle of 05°03'35" to a point of compound curve to the right having a radius of 289.76 feet, of which the radius point bears South 84°40'36" East; thence 3) northeasterly along the arc of said curve 387.10 feet through a central angle of 76°32'37"; thence 4) North 74°31'38" East 704.71 feet; thence 5) North 31°27'42" East 807.06 feet; thence 6) North 28°31'39" East 430.16 feet; thence 7) North 20°00'55" East 202.05 feet; thence 8) North 28°32'00" East 269.50 feet; thence 9) North 26°48'06" East 417.23 feet; thence 10) North 18°09'16" East 325.76 feet; thence 11) North 13°27'15" East 369.49 feet to a point on a non tangent curve to the left having a radius of 3103.00 feet, of which the radius point bears North 89°04'13" West; thence 12) northerly along the arc of said curve 614.74 feet through a central angle of 11°21'03"; thence 13) North 11°55'37" West 394.01 feet; thence 14) North 25°45'45" West 310.77 feet, more or less, to the North line of said Section 31 Township 2 South Range 5 East Salt Lake Base and Meridian; thence 15) continuing North 25°45'45" West 93.50 feet to a point on a curve to the left having a radius of

199.15 feet, of which the radius point bears South 64°14'15" West; thence 16) along the arc of said curve 176.35 feet through a central angle of 50°44'10" to a point on a non tangent curve to the right having a radius of 346.93 feet, of which the radius point bears North 11°24'24" East; thence 17) westerly along the arc of said curve 116.17 feet through a central angle of 19°11'11" to a point on a non tangent curve to the left having a radius of 5269.58 feet, of which the radius point bears South 70°31'53" West; thence 18) northerly along the arc of said curve 554.35 feet through a central angle of 06°01'39"; thence 19) South 43°19'19" West 126.13 feet; thence 20) North 46°43'07" West 154.73 feet; thence 21) North 21°20'17" West 544.17 feet; thence 22) North 50°47'53" West 505.02 feet; thence 23) North 18°47'08" West 632.92 feet; thence 24) North 28°39'34" West 343.57 feet; thence 25) North 19°15'58" West 206.82 feet; thence 26) North 08°18'07" East 271.52 feet; thence 27) North 26°58'07" West 373.69 feet to a point on a curve to the left having a radius of 5629.58 feet, of which the radius point bears South 63°01'53" West; thence 28) along the arc of said curve 393.02 feet through a central angle of 04°00'00"; thence 29) North 30°58'07" West 232.72 feet; thence 30) North 46°11'55" West 208.95 feet; thence 31) North 10°49'13" West 221.70 feet; thence 32) North 24°58'07" West 218.13 feet; thence 33) North 38°30'49" West 279.61 feet; thence 34) North 43°58'07" West 177.72 feet to a point on a curve to the right having a radius of 2984.79 feet, of which the radius point bears North 46°01'53" East; thence 35) along the arc of said curve 648.58 feet through a central angle of 12°27'00"; thence 36) North 31°31'07" West 76.73 feet; thence 37) North 31°31'08" West 253.24 feet; thence 38) North 14°12'29" West 300.60 feet; thence 39) North 26°31'07" West 103.05 feet to a point on a curve to the left having a radius of 904.93 feet, of which the radius point bears South 63°28'53" West; thence 40) along the arc of said curve 366.42 feet through a central angle of 23°12'00"; thence 41) North 56°17'37" West 262.00 feet; thence 42) North 38°24'31" West 152.97 feet; thence 43) North 49°43'07" West 500.00 feet; thence 44) North 59°10'51" West 182.48 feet; thence 45) North 38°21'36" West 152.32 feet to a point on a non tangent curve to the right having a radius of 766.20 feet, of which the radius point bears North 40°16'53" East; thence 46) northwesterly along the arc of said curve 484.76 feet through a central angle of 36°15'00"; thence 47) North 13°28'07" West 363.31 feet; thence 48) North 29°10'41" West 440.33 feet; thence 49) North 26°11'52" West 493.02 feet; thence 50) North 32°01'07" West 158.82 feet to a point on a curve to the left having a radius of 522.96 feet, of which the radius point bears South 57°58'53" West; thence 51) along the arc of said curve 357.49 feet through a central angle of 39°10'00"; thence 52) North 71°21'28" West 260.38 feet to the POINT OF BEGINNING.

LESS AND EXCEPTING any and all lands owned by the State of Utah and/or The United States of America.

ALSO LESS AND EXCEPTING the following:

1. any and all land more specifically described in the that certain Warranty Deed recorded as Entry No. 282827 on file and of record in the Wasatch County Recorder's office.
2. any and all land more specifically described in the that certain Special Warranty Deed recorded as Entry No. 209467 on file and of record in the Wasatch County Recorder's office.
3. Wasatch County Parcel Number 00-0007-1485 (Serial No. OWC-0030-0-025-024)

The parcel numbers for the Notice of Water and Sewer Development and Service Agreement are as follows:

00-0007-3069, 00-0000-3892, 00-0007-1717, 00-0021-2769, 00-0020-1743, 00-0021-2708, 00-0007-1709, 00-0007-1576, 00-0021-2823, 00-0007-3622, 00-0007-3606, 00-0007-3598, 00-0021-2709, 00-0021-2710, 00-0000-4668, 00-0020-175, 90-0000-1269, and STA-0404-0.